



**MINUTES  
FREMONT PLANNING COMMISSION  
REGULAR MEETING OF FEBRUARY 23, 2006**

CALL TO ORDER: Chairperson Lydon called the meeting to order at 7:00 p.m.

PRESENT: Chairperson Lydon, Commissioners Chan, Chugh, Harrison, King, Lorenz, and Sharma

ABSENT:

STAFF PRESENT: Jeff Schwob, Planning Director  
Joan Borger, Assistant City Attorney  
Kathleen Chu, Senior Civil Engineer  
Renee Dalton, Associate Transportation Engineer  
Scott Plambaeck, Associate Planner  
Alice Malotte, Recording Clerk  
Chavez Company, Remote Stenocaptioning  
Miriam Shallit, Video Technician

APPROVAL OF MINUTES: Regular Minutes of January 26, 2006 with the following corrections:

Page 17, answer to Commissioner King's question, ~~Anamondari (a high-end restaurant)~~ Anamandara (a high-end Vietnamese restaurant)

February 9, 2006 Draft Minutes with the following corrections:

Page 6, Vice Chairperson Chan speaking, last sentence on page: ~~She expressed concern for an attractive nuisance if the gate were not kept locked to the pasture where the horses were kept.~~ Would the proposed sports court be locked to prevent students from congregating after hours, which could create a nuisance?

**CONSENT CALENDAR:**

THE CONSENT LIST CONSISTED OF ITEM NUMBER 1.

IT WAS MOVED (HARRISON/LORENZ) AND UNANIMOUSLY CARRIED BY ALL PRESENT THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTION ON ITEM NUMBER 1:

**Item 1. ST. JOSEPH'S CHURCH – 43148 Mission Boulevard – (PLN2003-00165)** - to consider a Planned District Major Amendment, Preliminary Grading Plan and a Private Street application for the construction of a new 18,077 square foot (850-seat) church in the Mission San Jose Planning Area. The project would entail the demolition of the existing 3,890 square foot rectory, retention of a Primary Historic Resource (PHR) known as the Carriage House, the realignment of St. Joseph's Terrace (also known as Monticello Terrace) a private roadway that traverses the site and the construction of a new 4,375 square foot rectory (only the footprint was evaluated). A Mitigated Negative Declaration has been prepared and circulated for this project.

### **MODIFICATION TO STAFF REPORT**

On page 3 of the staff report, last paragraph, second sentence should read:

The adopted boundary area of approximately 44 acres was defined along the east side of the ~~3200-4300~~ 43100-43400 blocks of Mission Boulevard, ...

**Commissioner Sharma** stated that he did not wish to remove this item from Consent, but he had specific questions concerning parking, i.e., some kind of a safety feature for church members walking from the city parking lot across the street to the church.

**Planning Director Schwob** stated that parking requirements would be met through a combination of onsite parking and the city parking lot across the street, which had historically been used. His request could be referred to the Traffic Division, who could review it, as mid-block crosswalks were sometimes difficult from a safety perspective. However, he could not guarantee that a crosswalk would result.

**Commissioner Harrison** thanked the applicant for the work done with staff, and he also thanked the Historical Architecture Review Board and their comments. He reminded staff that the current parking regulations for religious institutions of one space per five seats was unrealistic. This was a huge church and their parking was to be mitigated by using the city parking lot. However, that would not always be the answer to similar situations and church parking needed to be tackled going forward.

**Commissioner Sharma** noted that staff had suggested a sidewalk be provided along the new section of Monticello Terrace for pedestrians and asked if the applicant could be asked to reconsider adding the sidewalk, as he could not understand why the applicant had stated that they would not include it.

**Planning Director Schwob** replied that the applicant believed a sidewalk was not necessary along the lower reaches of Montecito Terrace because the upper reaches of Montecito Terrace did not have sidewalks either.

**René Dalton**, Associate Transportation Engineer, stated that the sidewalk had been recommended in the initial review.

**Commissioner Chugh** stated that he had not seen a condition concerning the sidewalk in the report.

**Planning Director Schwob** suggested recommending the project, as is, and directing staff to address it in the report to City Council.

**Commissioner Sharma** agreed to the suggestion and expressed hope that it would be added to the conditions before this project was heard by City Council.

**HOLD PUBLIC HEARING;**

**AND**

**RECOMMEND THAT THE CITY COUNCIL FIND THAT THE INITIAL STUDY HAS EVALUATED THE POTENTIAL FOR THIS PROJECT TO CAUSE AN ADVERSE EFFECT -- EITHER INDIVIDUALLY OR CUMULATIVELY -- ON WILDLIFE RESOURCES. THERE IS EVIDENCE THE PROPOSED PROJECT COULD HAVE POTENTIAL FOR AN ADVERSE EFFECT ON WILDLIFE RESOURCES, BUT THAT MITIGATION MEASURES ARE PROPOSED WHICH WOULD REDUCE THAT POTENTIAL TO A LESS THAN SIGNIFICANT LEVEL;**

**AND**

**RECOMMEND THAT THE CITY COUNCIL APPROVE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN AND FIND THESE REFLECT THE INDEPENDENT JUDGMENT OF THE CITY OF FREMONT;**

AND  
RECOMMEND THAT THE CITY COUNCIL FIND THAT THE PLANNED DISTRICT MAJOR AMENDMENT (PLN2003-00165) IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S EXISTING GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS AND POLICIES SET FORTH IN THE GENERAL PLAN'S LAND USE AND NATURAL RESOURCES CHAPTERS AS ENUMERATED WITHIN THE STAFF REPORT;

AND  
RECOMMEND THAT THE CITY COUNCIL APPROVE THE PLANNED DISTRICT MAJOR AMENDMENT (PLN2003-00165), AS PER EXHIBIT "A" (SITE PLAN, FLOOR PLANS, ELEVATIONS, LANDSCAPE, GRADING AND PRIVATE STREET PLAN), AND FIND THAT IT FULFILLS THE APPLICABLE REQUIREMENTS SET FORTH IN THE FREMONT MUNICIPAL CODE; AND FURTHER RECOMMEND THAT THE CITY COUNCIL FIND THAT THE REQUESTED DEVIATIONS FROM THE CITY'S (H-I) ZONING STANDARDS AND HEIGHT REQUIREMENTS ARE JUSTIFIED FOR THE REASONS SET FORTH IN THE STAFF REPORT;

AND  
RECOMMEND TO THE CITY COUNCIL THE PRELIMINARY AND PRECISE SITE PLAN FOR PLANNED DISTRICT AS SHOWN ON EXHIBIT "A" (SITE PLAN, FLOOR PLANS, ELEVATIONS, LANDSCAPE, GRADING AND PRIVATE STREET) AND EXHIBIT "E" (MATERIAL COLOR AND SAMPLE BOARD) FOR PLN2003-00165 BE APPROVED, BASED UPON THE FINDINGS CONTAINED IN THIS REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT "B" & "C";

AND  
RECOMMEND THAT THE CITY COUNCIL FIND THAT THE REMOVAL OF SIX LANDMARK TREES (FOUR CANARY ISLAND PALM AND TWO OLIVES), THE RELOCATION OF FOUR TREES THAT ARE PART OF THE LANDMARK OLIVE TREE GROUP, AND THE RELOCATION OF FOUR TREES THAT ARE PART OF THE LANDMARK CANARY ISLAND PALM GROUP (AT ST. JOSEPH'S TERRACE) AND THE RELOCATION OF FOUR TREES THAT ARE PART OF THE LANDMARK CANARY ISLAND PALM GROUP AT MISSION CREEK, (WHICH ARE ALSO PRIMARY HISTORIC RESOURCE TREES) WILL NOT FUNDAMENTALLY ALTER THE CHARACTER OF EACH SUCH GROUP OF TREES BECAUSE EACH GROUP MAINTAINS IT ORIGINAL VISUAL IMPACT, SIGNIFICANCE AS A GROUP, AND SIMILAR COVERAGE ON THE SITE;

AND  
RECOMMEND THAT THE CITY COUNCIL FIND THAT THREE SYCAMORE TREES (#163, #164, AND #166) MEET CRITERIA FOR DESIGNATION OF LANDMARK STATUS AS IDENTIFIED IN SECTION 4-5112 OF THE FREMONT MUNICIPAL CODE, AND, FOLLOWING A PUBLIC HEARING, ADOPT A RESOLUTION TO ADD THE THREE SYCAMORE (PLANTANUS RACEMOSA) TREES TO THE CITY LANDMARK TREE LIST;

AND  
RECOMMEND THAT THE CITY COUNCIL FIND THAT ONE AVOCADO TREE (#184) MEETS THE CRITERIA FOR DESIGNATION OF LANDMARK STATUS AS IDENTIFIED IN SECTION 4-5112 OF THE FREMONT MUNICIPAL CODE, AND, FOLLOWING A PUBLIC HEARING, ADOPT A RESOLUTION TO ADD THE AVOCADO (PERSEA AMERICANA) TREE TO THE CITY LANDMARK TREE LIST.

The motion carried by the following vote:

AYES:	7 – Chan, Chugh, Harrison, King, Lorenz, Lydon, and Sharma
NOES:	0
ABSTAIN:	0
ABSENT:	0
RECUSE:	0

## **PUBLIC COMMUNICATIONS**

## ORAL COMMUNICATIONS

**Marilyn Singer**, League of Women Voters of Fremont, Newark and Union City, invited the public to participate in "Sunshine Week" during the month of March, which would focus on the need for transparency in government. The League would host forums on the Brown Act, the California Public Records Act and the Freedom of Information Act. The forum would be held Friday, March 17<sup>th</sup> at the San Lorenzo Village community hall from 9:00 a.m. to 2:00 p.m., with Attorney General Bill Lockyer as the keynote speaker. A Brown Act workshop would also be held in April in the City of Fremont.

**Chairperson Lydon** thanked the speaker for the educational work her organization did.

## PUBLIC HEARING ITEMS

- Item 2. IRVINGTON VILLAGE II – 40900 Grimmer Boulevard – (PLN2006-00118)** - to consider a Finding for Site Plan and Architectural Approval for 100 townhome style condominiums and 68 condominium podium style condominium units (168 units total); a request to approve a reduction to the width of the Private Vehicle Access Way widths (PVAW); allow variations in the curb radii; waive the requirement for 3.5 foot walkway on both sides of the PVAWs; a reduction for the on-site guest parking; a request to reallocate the density for the project and consider Vesting Tentative Tract map, Private Street application, and Preliminary Grading Plan.

### **MODIFICATIONS TO STAFF REPORT**

Traffic Signal Improvements: The intersection of Grimmer Boulevard and Irvington Avenue is currently not signalized. Traffic control is provided with stop signs on Irvington. The intersection is on the City's Traffic Signal Priority List and with this project the cumulative impacts puts the signal at level of service (LOS) F. Installing a traffic signal would raise the intersection to LOS A. The developer shall install a traffic signal, obtain necessary easements for construction and maintenance of signal loops at the private driveway on the northwest side of the intersection, and develop a traffic signal coordination plan along Grimmer Boulevard. The construction plans for the signal will be included as part of the subdivision improvement plans.

The off-site easements needed for construction and maintenance of the traffic signal loops are on private property that is not controlled by the developer. If the developer is unable to obtain the necessary easements prior to final map approval, the City will need to become involved in the easement acquisition process, including potentially using powers of eminent domain. The developer shall pay for all City costs associated with acquisition of said easements, including but not limited to, the fair market value of said easements, the necessary easement appraisals, special legal services, and City staff time associated with the acquisition. Also, per section 66422.5(c) of the Subdivision Map Act, if the developer has not obtained the easements prior to final map approval, then the developer shall enter into an agreement to complete the required off-site traffic signal improvements at such time that the City acquires the easements.

Exhibit 1, Condition A-7

~~One~~ BMR units must be affordable to families earning no greater than 110% or below of the county median income as defined by the United States Department of Housing and Urban Development in effect at the time of sale;

The units shall only be available to eligible first time homebuyers as defined under the California Housing Finance Agency To the extent permitted by law, preference shall be given to those who currently live, work, or previously lived in the City of Fremont;

Exhibit 1, Condition D-8:

D-8 ~~A minimum 10' wide landscape buffer shall be provided at the southwesterly property boundary.~~ Trees that are being removed from this area shall be replaced with a species compatible with bioswale conditions.

Exhibit 1, conditions T-1 and T-2 are deleted as they are covered in conditions E-3, E-4, E-5 of Exhibit 1.

~~T-1 The intersection of Grimmer Boulevard/Irvington Avenue shall be signalized by the developer. The developer shall prepare the plans, specifications and estimate, and construct the traffic signal at the intersection of Grimmer Boulevard and Irvington Avenue. The signal plans shall be submitted for review and approval during the development review process. An easement must be secured for the installation and maintenance of the signal loops at the private driveway on the north side of the intersection. Also, the developer should be required to develop a traffic signal coordination plan along Grimmer Boulevard.~~

~~T-2 On Irvington Avenue, east side, the curb parking shall be prohibited a minimum of 120' in advance to the intersection of Irvington Avenue. A separate striping and signing plan shall be submitted for the intersection of Grimmer Boulevard and Irvington Avenue in coordination with any traffic signal improvement.~~

Exhibit 1, Condition E-4:

E-4 The developer shall provide an easement for installation and maintenance of any necessary traffic signal improvements ~~detector loops~~ in the private driveway on the north side of the Grimmer Boulevard and Irvington Avenue intersection. Easements shall be granted to the City of Fremont. Easement deeds and legal descriptions shall be subject to City review and approval. Should the developer be unable to obtain the necessary easements prior to final map approval, then the developer shall pay for all City costs associated with acquisition of said easements, including but not limited to, the fair market value of said easements, the necessary easement appraisals, special legal services, and City staff time. Also, if the developer has not obtained the easements prior to final map approval, then pursuant to Section 66462.5(c) of the Subdivision Map Act, the developer shall enter into an agreement to complete the off-site traffic signal improvements at such time that the City acquires the easements.

**Planning Director Schwob** explained that a combination of townhome and podium style units were proposed, effectively taking one density designation and dividing it into two different products, at two different densities. Staff suggested that the Planning Commission recommend this reallocation of density, which would be considered by City Council.

**Jeff Smith**, Regis Homes, stated that his project would bring home ownership opportunities, quality planning and architecture, open space and landscaping, traffic improvements, and economic benefits to the city. This project would be located on the previous 7.82 acre Tri-City Sports site. True workforce housing would be provided with 25 below-market-rate units. This phase would complete the village concept started with Phase I. The step-down density would respect the existing community and would allow for greater open space and amenities. Two half-acre parks and a pool facility would be available for both phases of the development. The townhome units along Irvington Avenue would be two stories, which would almost mimic the homes across the street. Two, three and four-bedroom units would range from 1240 to 1770 square feet. The 68 flat-style units in the podium building would be served by an elevator. The open space would be more than four times that required by the city, which would tie the two phases together to create one united village. Lush landscaping would include strolling pathways and more than 220 new trees. A new traffic signal would be installed on the corner of Grimmer Boulevard and Irvington Avenue. New parking spaces would total 431, which was 95 more than required. The city's property tax base would be increased by 93 million dollars, along with

increased local sales. Regis Homes had met with many community organizations. Two community meetings had been held in November and this project was supported by the Chamber of Commerce, the local church, the Housing Action Coalition and more than 30 local businesses and neighbors.

**Commissioner King** asked the size and price for a below-market-rate unit.

**Mr. Smith** replied that the 25 below-market-rate units would be spread throughout the project, and the square footage would range between 1240 and 1770 square feet, depending on their location within the project. The sales prices, as set by the city, were projected to be from 280,000 to 340,000 dollars.

**Chairperson Lydon** asked if local teacher, firefighters and police officers would be eligible for those below-market-rate units or was another strategy planned.

**Mr. Smith** stated that the below-market-rate homes would be the primary scheme for people who worked and/or lived in the city. In addition, the financial lender would provide very attractive first-time homebuyer programs, many specifically focused toward teachers.

**Commissioner Lorenz** asked how much the city requirement for open space would be exceeded within this project. He asked what other projects had included tandem parking and what percentage of parking in the podium building would be tandem parking.

**Mr. Smith** replied that the open space would be more than four times the requirement. Tandem parking had been used in the first phase and was usually provided in the higher density projects. The tandem parking would be in the podium, an open garage that could not be used for storage. In Phase I, tandem parking was 25 percent of the total. For the overall project, tandem parking would total 17 percent.

**Associate Planner Plambaeck** stated that approximately 40 percent of the parking would be tandem within the podium building but over the entire Phase II site, approximately 17 percent would be tandem.

**Commissioner Sharma** thanked the applicant for the additional documents that were provided to the Commissioners.

**Chairperson Lydon** opened the public hearing.

**Ed Pentaleri**, Irvington resident, stated that he was one of many who had been engaged with Regis Homes and Bridge on Phase I of this project and had continued to engage on this Phase II project. He expressed enthusiasm for this project, in particular. The sites had been very underutilized and he believed that these two projects would be the nucleus for better development in the Irvington District. He hoped they would be a catalyst for some significant investment in the surrounding commercial areas along Grimmer Boulevard. He appreciated the outreach that Regis Homes had made to the community and he encouraged the Planning Commission to allow this project to move forward and to become successful.

**Steve Baca**, Irvington resident, commented that Irvington was an interesting neighborhood, with its single-family homes, mixed density housing and commercial areas. He strongly supported the past rezonings for higher density housing. He had supported Phase I and was even more supportive of this phase, because it would not overshadow the existing single-family housing while it would maximize the use of the formerly commercial real estate, unlike other residential projects.

**Billy Sandbrink**, Director of Government Affairs with the Fremont Chamber of Commerce, urged the Planning Commission to support the project. This was also a momentous occasion for the

Fremont Chamber of Commerce as it was the first time it had supported a housing project. Housing and land use were the priorities of the Chamber and this project fit both priorities.

**Mr. Smith** closed by thanking staff for its help with this project. He hoped to bring more great projects to the city soon.

**Chairperson Lydon** closed the public hearing.

**Commissioner Sharma** agreed that it was a great project. He wondered if exceptions like the ones that the Commission was being asked to approve with this project should be included in the General Plan, or was it better to go case-by-case.

**Planning Director Schwob** replied that review of the density reallocation had been requested by City Council. In addition, the Private Vehicle Accessway (PVAW) exceptions could only be made by the Council. Staff fully intended to update city standards like the PVAW standards because exceptions were requested on almost every project. The first phase of recommendations for changes to City Standards were expected to be presented to City Council within a few months for approval. Parking modifications would still be under the purview of the Planning Commission, consistent with required findings for approval.

**Commissioner Lorenz** noted that guest parking spaces would be 13 short of the amount required by the city. He asked how many parking spaces would fit on Irvington Avenue between Lot 89 and Lot 100. His concern was a combination of the 29 tandem parking in the podium building and the possibility of the residents using guest parking between the podium and the cemetery, because of the logistics of two vehicles getting in and out of tandem parking. If overflow guest parking occurred at this location in the project, it would impact the on street parking in front of the residences across the street.

**Planning Director Schwob** estimated that the majority of the on street parking would be on Irvington Avenue between Lot 89 and Lot 100, along with the on street parking in front of the cemetery. He agreed that visitor parking might be used as a first recourse when the need to juggle autos came up. Staff normally recommends that the use tandem parking be limited to no more than 33 percent in a project. When looking at this project as a whole, the tandem parking was well under; however, when considering just the podium parking, tandem parking would be in the 40 percent range. He reminded the Commission that guest parking would be available near the pool area and because some of units would have access all around the building, residents using guest parking should dissipate throughout the project. The CC&Rs and a brightly colored notice would be given to all residents to emphasize that visitor parking was to be used by visitors or guests, only. He believed that the parking would work, because a large number of parking spaces would be available within the two large projects, creating increased parking flexibility.

**Commissioner Chugh** stated that the important ingredients of every project was the ability to work with staff and the assurance that the issues that could be a concern had been decided before the project was heard by the Commission. A good project, such as this one, was important to the city and would contribute to the vibrancy of the district. For those reasons, he was confident that Phase II would be a great extension of the original project.

**Commissioner Harrison** applauded the applicant for the outreach they had done; it would be a model for what other developers should carry out, going forward. Bringing the coalition of the Chamber and other interested city groups to speak about the project helped the Commission to make a good decision. He would support the project. To staff, he directed comments concerning the rezoning of commercial properties for residential use. He worried that the "pendulum was swinging too far" and staff and the Commission had to be careful that there would be enough commercial zoning to provide jobs and commercial growth within the city.

**Commissioner Sharma** stated that it was a good project and he expected it would bring the people into the community to support the existing businesses. He hoped that this project would provide housing for the well educated, professional people who worked in the city. When he supported this kind of project, he always had in mind the people who could not afford the million dollar homes, but who were committed to the city and would “make a difference down the road.”

**Commissioner King** believed this project was outstanding in every way. Compromise was always a part of any project.

IT WAS MOVED (KING/HARRISON) AND CARRIED BY THE FOLLOWING VOTE (7-0-0-0)  
THAT THE PLANNING COMMISSION HOLD PUBLIC HEARING;

AND

**FIND THE PREVIOUS INITIAL STUDY CONDUCTED FOR THE GENERAL PLAN AMENDMENT AND REZONING HAS EVALUATED THE POTENTIAL IMPACTS THAT COULD CAUSE AN ADVERSE EFFECT, EITHER INDIVIDUALLY OR CUMULATIVELY, ON WILDLIFE RESOURCES AND FIND THAT THERE IS NO EVIDENCE THE PROJECT WOULD HAVE ANY POTENTIAL FOR ADVERSE EFFECT ON WILDLIFE RESOURCES;**

AND

**FIND THAT THE PREVIOUS MITIGATED NEGATIVE DECLARATION ADOPTED FOR THE GENERAL PLAN AMENDMENT AND REZONING CONSIDERED ALL IMPACTS RELATED TO THE PROPOSED PROJECT, AND THAT NO NEW IMPACTS WILL RESULT FROM THIS DEVELOPMENT;**

AND

**FIND THAT THE PROJECT IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS, AND POLICIES SET FORTH IN THE GENERAL PLAN'S FUNDAMENTAL GOALS, HOUSING, AND LAND USE CHAPTERS AS ENUMERATED WITHIN THE STAFF REPORT;**

AND

**RECOMMEND THAT THE CITY COUNCIL FIND PLN2006-00118, AS PER EXHIBIT “A” (SITE PLAN, ELEVATIONS, FLOOR PLANS AND LANDSCAPE PLAN) EITHER FULFILLS THE APPLICABLE REQUIREMENTS SET FORTH IN THE FREMONT MUNICIPAL CODE, OR THE PROJECT AS PROPOSED JUSTIFIES THE EXCEPTIONS (REDUCTION OF THE WIDTH OF THE PRIVATE VEHICLE ACCESS WAY, SETBACK ALONG IRVINGTON, REDUCTION FOR ON-SITE GUEST PARKING, RADII VARIATION, SIDEWALK WAIVER, AND DENSITY RE-ALLOCATION) AS SET FORTH IN THE STAFF REPORT;**

AND

**CONDITIONALLY APPROVE EXHIBIT “B” (PRELIMINARY GRADING PLAN);**

AND

**CONDITIONALLY APPROVE EXHIBIT “C” (PRIVATE STREET AND VESTING TENTATIVE MAP 7759) THE APPROVAL OF THE PROJECT UPON WHICH THE VESTING TENTATIVE MAP (VTM) IS BASED IS SUBJECT TO SITE PLAN AND ARCHITECTURAL REVIEW (SPAR) BY THE CITY COUNCIL; AND THE CITY COUNCIL RETAINS ITS SOLE AND ABSOLUTE DISCRETION TO MAKE ANY MODIFICATIONS TO THE PROPOSED SITE PLAN AND ARCHITECTURE, WHICH MAY REQUIRE MODIFICATION OF THE VTM. IF COUNCIL ACTION ON THE SPAR REQUIRES MODIFICATION OF THE VTM, IF THE DEVELOPER AND STAFF ARE NOT ABLE TO RESOLVE SUCH MODIFICATIONS, DEVELOPER AGREES THAT STAFF MAY REFER THE MATTER BACK TO THE PLANNING COMMISSION FOR SUBSEQUENT CONSIDERATION OF A MODIFIED VTM, AND THAT THE DEVELOPER OBTAINS NO VESTED RIGHTS IN THE ORIGINAL VTM IN SUCH A SITUATION.**

The motion carried by the following vote:

AYES:	7 – Chan, Chugh, Harrison, King, Lorenz, Lydon, and Sharma
NOES:	0
ABSTAIN:	0
ABSENT:	0
RECUSE:	0



## MISCELLANEOUS ITEMS

Information from Commission and Staff:

- Information from staff: Staff will report on matters of interest.

- Report on actions of City Council Regular Meeting

**Planning Director Schwob** stated that ordinances were introduced to approve the height increase for Ardenwood Business Park, along with the ordinance for the Bayside Business Park development agreement.

- Planner's Institute attendance

**Planning Director Schwob** announced that several Commissioners had expressed an interest in attending, which would result in a lack of a quorum for the March 23<sup>rd</sup> meeting. He suggested that an alternate meeting be decided upon to accommodate a particular deadline of one developer.

- Discussion of a Special meeting for March 30<sup>th</sup> in lieu of the March 23<sup>rd</sup> meeting.

**Planning Director Schwob** polled the Commission to ascertain if enough Commissioners would be available on March 30<sup>th</sup>.

**Commissioner King** stated that he would not be able to attend.

It was decided to hold a special meeting on March 30<sup>th</sup>.

- Information from Commission: Commission members may report on matters of interest.

**Commissioner Lorenz** had heard some rumors regarding the Centerville fire station and he asked if there had been any changes.

**Planning Director Schwob** replied that the fire station would be constructed on a portion of the site with an additional area that could potentially accommodate some of the training facility needs in the future. Several options were being considered, such as finding a larger space that would accommodate all training needs as opposed to several smaller training sites that would be spread throughout the community.

Meeting adjourned at 7:53 p.m.

SUBMITTED BY:

APPROVED BY:

Alice Malotte  
Recording Clerk

Jeff Schwob, Secretary  
Planning Commission